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7 Counsel for Defendant SANCHEZ-CASAREZ

8
9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11
12 UNITED STATES OF AMERICA,) No. CR 09-517 MHP
)
13 Plaintiff,) STIPULATION AND ~~PROPOSED~~
) ORDER TO CONTINUE SENTENCING
14 vs.)
)
15 RUBEN SANCHEZ-CASAREZ,)
)
16 Defendant.)
)

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18 On June 15, 2009, defendant Ruben Sanchez pled guilty to one count of violating 8
19 U.S.C. Section 1326, illegal reentry after deportation. At that time, the Court scheduled the
20 sentencing hearing for September 21, 2009 at 9:00 am. Recently, defense counsel learned that
21 she has been assigned to be on “duty” on September 21st, and therefore will be in Magistrate
22 Court at 9:30 am and will also likely need to meet with any new defendants prior to court that
23 morning.

24 Defense counsel spoke with the Court’s courtroom deputy, who graciously suggested that
25 the sentencing hearing be called first at 9am to allow defense counsel to get to Magistrate Court
26 in time. After meeting and conferring with government counsel, however, the parties agree that

1 the sentencing hearing will be sufficiently complicated that it may not provide enough time for
 2 the Court to adequately consider the parties respective positions if the hearing is held at 9am.
 3 Specifically, Mr. Sanchez-Casarez pled guilty without a plea agreement with the government,
 4 and the parties anticipate that there will be several open issues for the Court to decide at the
 5 sentencing hearing. Accordingly, the parties jointly request that the sentencing hearing be
 6 continued to 11:00 am on September 21, 2009.¹ Of course, if the Court is not amenable to this
 7 proposal, defense counsel will make arrangements to be at the sentencing hearing as scheduled.

8 For the foregoing reasons, the parties hereby stipulate and agree that the sentencing
 9 hearing in this matter shall be continued to September 21, 2009 at 11:00 am.

10 IT IS SO STIPULATED.

11 August 11, 2009
 12 DATED

/s/ Daryl Eremin
 DARYL EREMIN
 Assistant United States Attorney

13 August 11, 2009
 14 DATED

/s/ Jodi Linker
 JODI LINKER
 Assistant Federal Public Defender

15 IT IS SO ORDERED.

16
 17 8/13/2009
 18 DATED



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 24 ¹The parties are requesting a continuance of the time of the hearing and not the date of
 25 the hearing because the following Monday is Yom Kippur, the Monday after that defense
 26 counsel is on jury duty, and the Monday after that is the Columbus Day holiday. Accordingly in
 order to avoid a substantial delay in Mr. Sanchez-Casarez's sentencing, the parties request that
 the sentencing be continued by two hours.